

RESPONSE UNDER 37 C.F.R. § 1.116
Appl. No.: 09/489,143

Attorney Docket No.: A4521

I. Claim Rejections under 35 U.S.C. § 102

Claims 1-2, 9-10 and 17-18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Dedrick (U.S. Patent No. 5,768,521).

Claim 1 recites "a method for determining the cost of a content object having a plurality of content entities." The Examiner asserts that Dedrick discloses a database that corresponds to the claimed content object and that the units of information (i.e. text, video, advertisements) disclosed in Dedrick corresponds to the claimed plurality of content entities.

Claim 1 further recites "determining a *content count* for the content object." The Examiner asserts that Dedrick "counts" the units of the content object in order to calculate a cost to charge the user. In order to anticipate the claims, the Examiner must establish that each and every element is disclosed in the cited art. However, Applicant respectfully submits that the Examiner has failed to identify where a "count" is disclosed in Dedrick.

Dedrick discloses calculating a cost per view, per byte or per time. Dedrick does not disclose determining a content count for a content object. In Dedrick, the user is charged for the units of information selected from the database. There is no indication that a count of the contents in the database is performed.

Claim 1 further recites "determining from the content count a price for the content object." As previously indicated, the user is charged for the units of information retrieved from the database. It is respectfully submitted that Dedrick does not disclose determining a price for a content object according to a *content count*.

For at least the above reasons, claims 1, 9 and 17 and their dependent claims should be deemed patentable.

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II. Rejection of claims 3-6, 11-14, 19-22 and 25-27 under 35 U.S.C. § 103

Claims 3-6, 11-14, 19-22 and 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dedrick. Claims 3-6, 11-14, 19-22 and 25-27 should be deemed patentable by virtue of their dependency to claims 1, 9 and 17 for the reasons set forth above.

III. Rejection of claims 7-8, 15-16 and 23-24 under 35 U.S.C. § 103

Claims 7-8, 15-16 and 23-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dedrick in view of Khan et al. (U.S. Patent No. 6,199,054). Claims 7-8, 15-16 and 23-24 should be deemed patentable by virtue of their dependency to claims 1, 9, and 17 for the reasons set forth above. Moreover, it is respectfully submitted that Khan does not cure the deficiencies of Dedrick.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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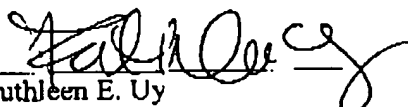
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Date: May 2, 2005